

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES DEAN HANAPEL,

Defendant.

5:21-mj-146
AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT

(STATE OF SOUTH DAKOTA)
() ss
(COUNTY OF PENNINGTON)

I, Robert A. Espinosa, Special Agent (SA) with Homeland Security Investigations, being duly sworn, state as follows:

1. I am employed as a Special Agent with Homeland Security Investigations ("HSI") and assigned to RAC Rapid City. As a Special Agent, I am responsible for investigating child exploitation, human trafficking, narcotic trafficking and investigating violations of statutes relating to immigration and customs enforcement. I have received specialized training computer forensics examination, mobile device examination, narcotic investigations, undercover tactical investigations, and Internet Crimes Against Children ("ICAC") undercover chat investigations. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code; that is, an officer of the United States who is empowered by law to conduct investigations and make arrests of offenses enumerated in Title 18, 19, and 21 of the United States Code. I have been involved in the execution and planning of

arrests for over twenty (20) years, ten (10) years of experience with HSI, and ten (10) years of experience before with the City of Miami Police Department as an Officer/Sergeant.

2. During my law enforcement career I have become familiar with the *modus operandi* of persons involved in attempted enticement of a minor using the internet in violation of federal law. Based on my experience and training, I am knowledgeable of the various means utilized by individuals who illegally attempt to meet with children in order to engage in criminal sex acts.

3. The information set forth below is based upon my knowledge of an investigation conducted by the South Dakota Internet Crimes Against Children Taskforce (ICAC) and the investigation of other law enforcement agents and officers including, but not limited to, South Dakota Division of Criminal Investigation (DCI), Homeland Security Investigations (HSI), the Rapid City Police Department, and the Pennington County Sheriff's Office. I have not included every fact obtained pursuant to this investigation, but have set forth those facts that I believe are essential to establish the necessary probable cause for the criminal complaint. I have not omitted any material fact relevant to the consideration of probable cause for a criminal complaint against the above named defendant.

4. I have been informed that 18 U.S.C. § 2422(b) makes it a crime for a person to use the internet or any other means, which affects interstate commerce, to attempt to knowingly persuade, induce, entice, and coerce a

person who has not attained the age of 18 years to be caused to engage in a criminal sex act.

5. Your affiant respectfully submits that there is probable cause to believe that James Dean Hanapel committed the crime of attempted enticement of a minor using the internet in violation of 18 U.S.C. § 2422(b).

6. On August 10, 2021, HSI SA Richie Berger was posing as a 14-year-old female in an online operation targeting predators. He was on the internet application MeetMe, which operates solely online. At 9:22 p.m., a person later identified as 20-year-old James Dean Hanapel, began communicating with SA Berger's UC profile. Hanapel holds a position of trust as an Airman First Class (A1C) with the United States Air Force. Following brief MeetMe communication on August 10 and 11, SA Berger and Hanapel began to communicate via text message on August 12, 2021. Shortly after communication commenced via text message, SA Berger informed Hanapel she was only 14 years old. Thereafter, Hanapel expressed his concern about getting in trouble and stated he could go to jail. Further, Hanapel followed his statements of concern with a sexually driven conversation with the undercover female minor which included written statements, "Oh okay well do you want to fuck", "I just want friends with benefits", and "Yeah anal if your down". Hanapel further stated, "Yes I have condoms", after the undercover female minor asked if he'd bring condoms.

7. During the conversation, Hanapel sought to meet the minor to engage in the above acts. The meeting was set at a location in Rapid City, South

Dakota and Hanapel appeared at the previously determined location and time and law enforcement placed him under arrest.


8. Hanapel was later interviewed and acknowledged that the minor told him she was only 14 years of age, that he had made the aforementioned statements in the chats and that his intention was to have sex with the 14-year-old female minor.

CONCLUSION

9. Your affiant submits that there is probable cause to believe that James Dean Hanapel committed a violation of 18 U.S.C. § 2422(b), Attempted Enticement of a Minor Using the Internet.

Wherefore, I request the issuance of a criminal complaint for the arrest of James Dean Hanapel.


Dated: 8/13/2021


Special Agent Robert Espinosa
Homeland Security Investigations

SUBSCRIBED and SWORN to

du in my presence
_____ by reliable electronic means

this 13th day of August, 2021.


DANETA WOLLMANN
U.S. MAGISTRATE JUDGE